

IN THE UNITED STATES DISTRICT COURT  
FOR THE NOTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

United States of America

v.

Shannon Bradley

Criminal Action Number  
1:14-CR-441-ELR-ECS

**Motion to Suppress Results of  
Warrantless Search of Cell Phone**

By this motion, we seek to make plain to the Court and counsel that Mr. Bradley contests the legality of the search of his cellular telephone at the time of his arrest on December 6, 2012. The fact of this warrantless search was already averred in docket entry 33. Found on Mr. Bradley's cellular telephone was a photograph that the Government claims is incriminating and which the Government appears determined to use at Mr. Bradley's trial. This search of Mr. Bradley's cellular telephone was illegal and thus the results of the search should be suppressed.

AUTHORITY

As this was a warrantless search, the Government bears the burden of justifying the search by proving that it falls within a

recognized exception to the warrant requirement. Last year, however, the Supreme Court unanimously held that “officers must generally secure a warrant before conducting ... a search” of a cellular telephone found on an arrestee at the time of an arrest. *Riley v. California*, 573 U.S. \_\_\_\_ (2014).

### CONCLUSION

WHEREFORE, Mr. Bradley submits that the Government should not be able to use any fruits of the cellular telephone search because it was illegal.

Respectfully submitted this 5<sup>th</sup> day of May, 2015.

*V. Natasha Perdew Silas*

Georgia Bar Number 571970

Attorney for Mr. Bradley

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## CERTIFICATE OF ELECTRONIC FILING

This is to certify that I have this day electronically filed the foregoing pleading on the ECF system. I expect that the system will perfect service upon the Government in the person of Trevor Wilmot and Steve Grimberg, Esquire.

This 5<sup>th</sup> day of May, 2014.

*V. Natasha Perđew Sílas*